

Amendments to Senate Bill No. 29
1st Reading Copy

Requested by Senator Lynda Moss

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Pat Murdo
January 26, 2011 (8:04am)

1. Title, page 1, line 7.

Strike: "AN APPLICABILITY DATE"**Insert:** "THAT THE DEPARTMENT OF REVENUE HAS SOLE JURISDICTION FOR
THE TRAINING PROGRAM"

2. Page 1, line 11.

Strike: "8"**Insert:** "9"

3. Page 1, line 14.

Strike: "8"**Insert:** "9"

4. Page 1, line 15.

Following: "licensed to"**Strike:** "serve or"**Following:** "sell"**Insert:** "or serve"**Following:** "ensure that"**Insert:** "all licensees and their"**Strike:** "and their supervisors"**Insert:** "that sell or serve alcoholic beverages"

5. Page 1, line 19.

Strike: "8"**Insert:** "9"

6. Page 1, line 28.

Strike: "and post signs"

7. Page 1, line 23 through line 26.

Strike: section 4 in its entirety**Insert:** "NEW SECTION. Section 4. Notification -- violation --
penalty. (1) A licensee shall certify annually on its
license renewal form that the licensee is in compliance with
the provisions of [sections 1 through 9].**(2) A license renewal form that falsely includes information
that the licensee and all employees have been trained pursuant to
[sections 1 through 9] is a violation of this code.****(3) If, after an investigation under 16-4-406, a licensee is**

determined to have violated subsection (2), the licensee must be assessed an administrative penalty under 16-4-406 or the penalty for false swearing under 45-7-202."

8. Page 2, line 2.

Strike: "5"

Insert: "3"

9. Page 2, line 4 through line 6.

Strike: "; and" on line 4 through "intoxicated" on line 6

10. Page 2, line 8.

Following: "program."

Insert: "(1)"

11. Page 2, line 9.

Strike: "establish"

Insert: "certify all server and sales training programs that include the following:

- (a) effects of alcohol on the human body;
 - (b) information, including criminal, civil, and administrative penalties, related to 27-1-710 and this code;
 - (c) procedures for checking identification;
 - (d) procedures for gathering proper documentation that may affect the licensee's liability;
 - (e) training for skills to handle difficult situations and to learn evaluation techniques regarding intoxicated persons or others that pose potential liability;
 - (f) a final test; and
 - (g) a certificate of completion, which must be provided to participants who pass the final test.
- (2) The department may have"

12. Page 2, line 9 through line 10.

Strike: "consisting of" on line 9 through "through 8]" on line 10

Insert: "if the program meets the standards set forth in subsection (1)"

13. Page 2.

Following: line 11

Insert: "NEW SECTION. Section 7. Jurisdiction. The implementation and enforcement of any mandatory server and sales training programs in this state is under the exclusive authority and jurisdiction of the department."

Renumber: subsequent sections

14. Page 2, line 12.

Strike: "during"

Insert: "as a result of"

Following: "with"

Insert: "16-3-301,"

15. Page 2, line 13.

Following: "16-6-304"

Insert: ", "

Strike: "\$50"

Insert: "\$200"

16. Page 2, line 13 through line 15.

Following: "section 5" on line 13

Strike: "(1) or (2)"

Strike: "for each" on line 13 through "[section 5(1)]" on line 15

17. Page 2, line 16.

Strike: "8"

Insert: "9"

18. Page 2, line 19.

Strike: "8"

Insert: "9"

19. Page 2, line 25.

Strike: "8"

Insert: "9"

20. Page 2, line 27.

Strike: "8"

Insert: "9"

21. Page 2, line 29 through line 30.

Strike: section 11 in its entirety

- END -